

505 KAR 2:200. Physical plant.

RELATES TO: KRS 15A.210-15A.240, 28 C.F.R. 31.303

STATUTORY AUTHORITY: KRS 15A.210(5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.210 requires the Department of Juvenile Justice to promulgate administrative regulations governing the operation of juvenile detention centers and juvenile holding facilities, including the physical plant. This administrative regulation governs the physical plants at juvenile detention centers and juvenile holding facilities.

Section 1. (1) The facility shall conform to all applicable zoning ordinances or, through legal means, attempt to comply with or change the laws, codes or zoning ordinances.

(2) The facility shall conform to all applicable state building codes.

(3) If the facility is on the grounds of any other type of corrections facility, federal and state regulations requiring sight and sound separation from adults shall be maintained.

(4) A juvenile detention facility shall be primarily designed for single cell sleeping areas; multiple-occupancy dorms or double-occupancy cells shall not exceed twenty (20) percent of the bed capacity of the facility.

(5) If the population of a county-operated facility exceeds the rated capacity, the chief district judge, the district judge with jurisdiction for the juvenile matters, the county judge executive and the Department of Juvenile Justice shall be notified by the facility administrator.

(6) The facility shall be utilized so that juveniles can be grouped in accordance with a classification plan.

(7) If seriously ill, mentally disordered, injured or nonambulatory juveniles are held in the facility, there shall be at least one (1) single-occupancy cell or room for them that provides for continuing staff observation.

(8) The facility shall have exits that are properly positioned, clear, and distinctly and permanently marked in order to ensure the timely evacuation of juveniles and staff in the event of fire or other emergency. All housing areas, and places of assembly for fifty (50) or more persons, shall have two (2) exits.

(9) The facility perimeter shall be secured in a way that juveniles remain within the perimeter and that access by the general public is denied without proper authorization.

(10) Facilities in operation before July 1, 1987 shall be operated with day rooms of no more than twenty-five (25) juveniles each.

(11) The facility shall have living units of no more than twenty-five (25) juveniles.

(12) All housing areas shall provide for, at a minimum:

(a) Lighting as determined by the tasks to be performed;

(b) Toilets at a minimum ratio of one (1) for every twelve (12) juveniles in male facilities and one (1) for every eight (8) juveniles in female facilities. Urinals may be substituted for up to one-half (1/2) of the toilets in male facilities. Wash basins shall be provided at a minimum ratio of one (1) basin for every twelve (12) occupants;

(c) Showers accessible to juveniles;

(d) A heating and ventilation and acoustical system to ensure healthful and comfortable living and working conditions for juveniles and staff; and

(e) Access to a drinking fountain.

(13) If the facility houses male and female juveniles, space shall be provided for cocorrectional activities.

(14) Space shall be provided for the secure storage of chemical agents, restraining devices and related security equipment, and the equipment shall be located in an area that is readily accessible to authorized persons.

(15) Water for showers shall be temperature-controlled.

(16) Single sleeping rooms shall have at least seventy (70) square feet of floor space and juveniles shall be provided activities and services outside their rooms at least twelve (12) hours a day.

(17) All sleeping rooms in detention facilities shall have, at a minimum:

(a) Access to the following approved penal sanitation facilities:

1. Toilet above floor level which is available for use without staff assistance twenty-four (24) hours a day;

2. Wash basin and drinking water;

3. Hot and cold running water;

(b) An approved penal bed above floor level and storage space; and

(c) Natural light. Facilities existing and operating on July 1, 1987 shall be exempt from the requirement that each sleeping room have natural light.

(18) At least thirty-five (35) square feet of floor space per juvenile shall be provided in the day room on each living unit.

(19) Male and female juveniles shall not occupy the same sleeping room.

(20) Ventilation shall be available in the event of a power failure.

(21) The total indoor activity areas outside the sleeping area shall provide space of at least 100 square feet per juvenile.

(22) There shall be at least fifteen (15) square feet of floor space per person for those occupying the dining room or dining area. Meals may be served outside the cells or sleeping areas.

(23) If the facility provides food service, the kitchen shall have at least 200 square feet of floor space.

(24) School classrooms shall be designed in conformity with local or state educational requirements except that all juvenile detention facilities shall be exempt from the requirement to have operable windows for rescue and ventilation.

(25) There shall be a visiting area that allows for privacy during visits.

(26) There shall be a well-drained outdoor recreation area for all new, renovated and existing facilities.

(27) Space shall be available for religious services.

(28) The facility shall have a central medical room with medical examination facilities.

(29) If there is a confinement room separate from the living unit, it shall be equipped with plumbing and security furniture.

(30) There shall be interview space available in or near the living unit.

(31) The office in each housing unit shall have a telephone and enable supervision of the general living area; it shall be used for communications, staff conferences and storage of unit records.

(32) There shall be secure storage space provided for storage of juveniles' property and personal belongings.

(33) There shall be storage rooms for clothing, bedding and facility supplies.

(34) Closets for storage of cleaning supplies and equipment shall be located in each principal area and shall be well ventilated.

(35) Separate and adequate space shall be provided for mechanical equipment

(36) There shall be a written plan for preventive maintenance of the physical plant with provisions for emergency repairs or replacement of equipment. This plan shall be reviewed annually and updated if needed.

(37) There shall be documentation by an independent, qualified source that the interior finishing material in juvenile areas, exit areas and places of public assembly are in accordance with recognized national fire safety codes.

(38) The facility shall issue and enforce written policy and procedure providing that a new detention facility shall be built or the existing facility expanded after a needs evaluation study has been prepared by the agency in conjunction with the juvenile court and the Department of Juvenile Justice.

(39) Prior to plans development for newly-planned facilities, a written program philosophy shall be developed for the facility, which includes:

- (a) Statement of general goals and purposes of the facility;
- (b) Description of the facility, including statutory authority and services to be provided.
- (c) Analysis of projected workload, staffing, programs and operating and capital budgets;
- (d) Assessment of the impact of the facility on overall operation of the parent agency;
- (e) Justification for the facility;
- (f) Analysis of alternative means for achieving the same goals;
- (g) Description of space requirements;
- (h) Outline of budget and time restrictions; and
- (i) Study of alternate ways of satisfying space requirements, including leasing, renovation and new construction.

(40) Each living unit shall be designed so that individual rooms, day rooms and program staff offices are in close proximity to juveniles for purposes of communication and interaction.

(41) Disabled juveniles shall be housed in a manner that provides for their safety and security. Cells or housing units used by them shall be designed for their use, and provide the maximum possible integration with the general population. Appropriate institution programs and activities shall be accessible to disabled juveniles confined in the facility.

(42) All parts of the facility that are accessible to the public shall be accessible to and usable by disabled staff and visitors.

(43) There shall be a day room for each housing unit or detention room cluster. The room shall have a minimum of thirty-five (35) square feet of floor space per juvenile for the maximum number using the day room at one (1) time and shall be separate and distinct from the sleeping area, which is immediately adjacent and accessible. (26 Ky.R. 1301; Am. 1554; eff. 2-14-2000.)